

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

CATLIN SPECIALTY
INSURANCE CO.,

Plaintiff

vs.

JOSEPH J. JOHNSON, et al.,

Defendants

Case No. 5:17-cv-01432-HNJ

RULE 16 SCHEDULING ORDER

This order is entered under Fed.R.Civ.P. 16(b), based on the parties' report of a planning meeting. This order supersedes any prior orders and governs further proceedings in this action unless modified for good cause shown.

1. **Pleadings and Parties:** No causes of action, defenses, or parties may be added by plaintiff(s) after January 8, 2018. No causes of action, defenses, or parties may be added by defendant(s) after February 8, 2018.
2. **Dispositive Motions:** All potentially dispositive motions must be filed by June 1, 2018.
3. **Expert Testimony:** Unless modified by stipulation of the parties, the disclosures of expert witnesses--including a complete report under Fed.R.Civ.P. 26(a)(2)(B) from any expert--are due:

from plaintiff(s) by March 5, 2018;
from defendant(s) by April 2, 2018.

4. **Discovery Limitations and Cutoff:**

(a) Unless modified by a court order upon application of the parties:

Depositions: Maximum of 10 depositions by plaintiff(s) and 10 depositions by defendant(s). Each deposition is limited to a maximum of 7 hours, unless extended by agreement of the parties.

Interrogatories: Maximum of 30 interrogatories, including subparts, by each party to any other party. Responses due 30 days after service.

Requests for Production: Maximum of 30 requests for production, including subparts, by each party directed to any other party. Responses due 30 days after service.

Requests for Admission: Maximum of 30 requests for admission, including subparts, by each party directed to any other party. Responses due 30 days after service.

(b) Unless modified by court order for good cause shown:

Supplementation: Supplementation of disclosures and discovery under Fed.R.Civ.P. 26(e) due within 14 days of party having obtained knowledge of the discoverable information, but not later than 30 days prior to close of discovery.

Deadline: All discovery must be commenced in time to be completed by May 1, 2018.


Privileged Material: Pursuant to and subject to FRE 502(b) and (d), the inadvertent disclosure of any privileged communication, information, document, or ESI shall not operate as a waiver of the privilege in this or any other proceeding to the extent the producing party complies with the requirements of FRE 502(b) and FRCP 26(b)(5)(B).

5. **Additional Conference:** After July 16, 2018.

6. **Final Lists:** The court will establish deadlines for the exchange of final witness and exhibit lists at the pretrial conference.
7. **Trial:** The parties shall be ready for trial to be scheduled on or after September 1, 2018, and the prospective trial time is approximately 3 trial days. **This is not an actual trial date; this is only the date on which the case will be considered ready for trial.**
8. **Additional Orders:**
 - (a) **Settlement Exploration.** Prior to the scheduled pretrial conference in this case, lead counsel for the parties are directed, after consultation with the client, to meet face-to-face at a mutually agreed time and place to thoroughly explore the possibilities of settlement. To that end, the attorneys and their clients in conference assembled should make a realistic analysis of the case and its settlement by you, if any, as soon as reasonably feasible. Settlement may be enhanced by use of non-binding mediation.
 - (b) **Pretrial Conference.** The final pretrial conference in this case will be scheduled by separate order. All lead counsel for the parties are directed to be personally present.

Except as expressly modified by the above, the stipulations, limitations, deadlines and other agreements set forth in the report of the parties shall apply in this case.

ORDERED this 29th day of November, 2017.


HERMAN N. JOHNSON, JR.
UNITED STATES MAGISTRATE JUDGE